

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS

Special Order No. 2-68

1. The District Judges of this Court have considered and adopted the attached amendments to local civil rules LR 53.1 and 72.2. These amendments are necessitated by the restyling of the Federal Rules of Civil Procedure.
2. Unless modified after receipt of public comment, these rules shall take effect on September 1, 2008 and shall apply to all proceedings in civil actions thereafter commenced and, insofar as just and practicable, all proceedings in civil actions then pending.
3. Any persons who desire to comment on any of these rules may do so by submitting written comments to:

Clerk of Court  
United States District Court for the Northern District of Texas  
Attention: 2008 Rules Revision Comments  
1100 Commerce Street, Room 1452  
Dallas, Texas 75242-1495


The deadline by which the Clerk must receive comments is June 2, 2008.

4. The Clerk of Court is directed to make the necessary distribution.

**SO ORDERED.**

April 22, 2008.

FOR THE COURT:

  
SIDNEY A. FITZWATER  
CHIEF JUDGE

## 2008 SUPPLEMENTAL LOCAL CIVIL RULES AMENDMENTS

New material is **redlined**, and deleted material is ~~stricken out~~.

### **LR 53.1      Briefing Practice for Objections and Motions Concerning Orders, Reports, and Recommendations of Masters.**

(a)      **Brief.** Objections or a motion filed under Fed. R. Civ. P. 53~~(g)~~(f)(2) must be accompanied by a brief that sets forth the party's contentions of fact and/or law, and argument and authorities, and complies with LR 7.2.

(b)      **Response Brief.** A response brief to objections or a motion filed under Fed. R. Civ. P. 53~~(g)~~(f)(2) must comply with LR 7.2 and be filed within 20 days from the date the objections or motion is filed.

(c)      **Reply Brief.** Unless otherwise directed by the presiding judge, a party who files objections or a motion under Fed. R. Civ. P. 53~~(g)~~(f)(2) may file a reply brief within 15 days from the date the response brief is filed. The brief must comply with LR 7.2.

(d)      **Appendix Required.** A party who relies on documentary (including an affidavit, declaration, deposition, answer to interrogatory, or admission) or non-documentary evidence to support or oppose objections or a motion filed under Fed. R. Civ. P. 53~~(g)~~(f)(2) must include such evidence in an appendix that complies with LR 7.1(i)(2)-(4).

(e)      **Preparing the Record.** A party who files objections or a motion under Fed. R. Civ. P. 53~~(g)~~(f)(2) is responsible for preparing the record and—if necessary for disposition of the objections or motion—obtaining a hearing transcript. Unless otherwise directed by the presiding judge, the transcript must be filed contemporaneously with the objections or motion.

**LR 72.2      Briefing Practice Concerning Objections to Magistrate Judge Recommendations on Dispositive Motions and Prisoner Petitions.**

(a)      **Brief.** Objections filed under Fed. R. Civ. P. 72(b)(2) must be accompanied by a brief that sets forth the party's contentions of fact and/or law, and argument and authorities, and complies with LR 7.2.

(b)      **Response Brief.** A response brief to objections filed under Fed. R. Civ. P. 72(b)(2) must comply with LR 7.2.

(c)      **Reply Brief.** Unless otherwise directed by the presiding judge, a party who files objections under Fed. R. Civ. P. 72(b)(2) may file a reply brief within 10 days from the date the response brief is filed. The brief must comply with LR 7.2.

(d)      **Appendix Required.** A party who relies on documentary (including an affidavit, declaration, deposition, answer to interrogatory, or admission) or non-documentary evidence to support or oppose objections filed under Fed. R. Civ. P. 72(b)(2) must include such evidence in an appendix that complies with LR 7.1(i)(2)-(4).

(e)      **Preparing the Record.** A party who files objections under Fed. R. Civ. P. 72(b)(2) is responsible for preparing the record and—if necessary for disposition of the objections—obtaining a hearing transcript. Unless otherwise directed by the presiding judge, the transcript must be filed contemporaneously with the objections.

